



General Assembly

Distr.: General
30 July 2008

Original: English

Sixty-second session

Agenda items 70 and 70 (f)

**Promotion and protection of human rights: celebration of
the sixtieth anniversary of the Universal Declaration of
Human Rights**

Letter dated 28 July 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the declaration circulated by the Permanent Mission of Cuba to the United Nations on 24 July 2008, entitled "United States: defender of so-called prisoner of conscience or violator of human rights?" (see annex).

Furthermore, I kindly request that the above-mentioned document be circulated as a document of the sixty-second session of the General Assembly, under agenda items 70 and 70 (f).

(Signed) **Ileana Nuñez Mordoche**
Ambassador

Chargé d'affaires a.i. of the Permanent Mission of Cuba
to the United Nations



Annex to the letter dated 28 July 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General

[Original: English and Spanish]

Press release

United States: defender of so-called prisoner of conscience or violator of human rights?

This afternoon, 24 July 2008, a panel entitled "Courageous voices: speaking out for prisoners of conscience" organized by the United States Mission to the United Nations took place. This event, as the Non-Aligned Movement predicted, was aimed at falsely accusing and selectively attacking some non-aligned countries.

As it was previously denounced, this event contravenes and violates the purposes of the Charter of the United Nations of "developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples" and "achieving international cooperation in solving international problems of an economic, social, cultural, or humanitarian character".

It is unacceptable that the United Nations facilities are used to carry out negative campaigns against States Members of the Organization and to promote confrontation, distrust and pursuing hidden agendas against sovereign nations. By holding this panel in the United Nations, the proper functioning and the credibility of the Organization and its Secretariat have been affected, setting a negative precedent.

The United States, the main massive violator of human rights, which disregard the right to development, the right to food and health, the rights of children and women, try to present themselves, through this event, as great defenders of the so-called prisoners of conscience, falsely accusing countries they try to dominate. It is clear that this is another attempt to hide their abominable crimes.

The United States intends to create a smokescreen to conceal its violations of human rights in Abu Ghraib, as well as its illegal Guantanamo Bay naval base where there have been, for around five years, flagrant and massive violations of the human rights of hundreds of prisoners who are tortured using reprehensible methods and who are cruelly, humiliatingly and inhumanely mistreated. It is the United States that is condemned for the legal limbo where these people are kept in contradiction to international law.

They also try to hide the kidnapping of hundreds of individuals who have been transferred, in over 800 clandestine flights, to secret prisons of the Central Intelligence Agency (CIA) where torture is practised, contravening fundamental rules of international law and international humanitarian law.

It is in the United States that five Cuban antiterrorist fighters are subjected to a long, unfair and cruel imprisonment as a result of a politicized trial. It is the United States Government that defends asphyxia as a legitimate method to extract confessions. It is also the Bush Administration that has been responsible for the illegal detention, for years, of hundreds of foreigners to allegedly be interrogated

about the criminal terrorist acts of September 11. Their names and circumstances are kept in secret. Instead of arraigning them, providing them with a lawyer, granting them their "day in court" and prosecuting them according to the rules of due process, they are indefinitely and secretly interrogated. It is likewise the United States Government that violates the civil and political rights of its own citizens by tapping and intercepting their private communications.

Instead of solving these problems, with this event the United States tried to grant the distinction of ex-prisoners of conscience to citizens like a Cuban vulgar common criminal who was prosecuted in Cuba for falsification of documents, illegal possession of weapons and sabotage, among other charges. This alleged "peaceful activist" has been regularly involved in acts against public order and physical aggression against civil servants and has frequently received considerable sums of money provided by United States authorities in payment for his crimes.

Recruiting, guiding and providing financial and logistical support to mercenaries on Cuban soil who are at the service of United States policy have been key objectives in the design and implementation of the anti-Cuban strategy and policy. Washington has always intended to create — by manipulating the traitors and people in favour of annexation whose names appear in their payroll — the false perception that in Cuba a purported fight among Cubans is being settled.

Many different forms of aggression, including the use of mercenaries, have been used as part of the undeclared war — which has become the true State policy — waged by the United States against Cuba. No foreign policy against a country has ever had such a wide and sophisticated arsenal of aggressive measures in the political, economic, cultural, diplomatic, military, psychological and ideological fields.

Small groups of allegedly "peaceful dissidents" and "human rights defenders" were created inside the island by the United States, through direct involvement of diplomats from the United States Interests Section in their subversive plans. To this end, the United States recruited people previously implicated in violent activities, even former officials, policemen and other lowlifes from Fulgencio Batista's dictatorial regime. These people, recruited and financed, carry out missions at the behest of the United States with the purpose of destroying the constitutional order chosen by Cubans and to enforce the provisions of the Helms-Burton Act.

The overwhelming increase of United States funds and means to recruit and finance anti-Cuba mercenaries (more than \$80 million every two years) and the decision to involve to unprecedented levels United States agencies in the destabilization, attrition and the isolation of Cuba, corroborate how serious the threat is, even from the military point of view, against Cuba.

Both the Charter of the United Nations and the two International Covenants on Human Rights recognize that "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development", and that each State must promote and respect this right under the Charter of the United Nations.

The Cuban people has, as any other people, the right to defend itself against the political, diplomatic, economic, commercial, financial, radio, and television aggression that the United States Government wages against Cuba.

Why is it that the United States Administrations did not question nor question today the absurd and super-repressive legal measures and provisions adopted during the so-called "cold war" in the United States against the alleged "communist" danger, many of which are still in force, instead of attacking developing countries for political reasons?

Why is it that the provisions of the Logan Act, included in chapter 45, title 18, part 1 of the codification of Crimes and Criminal Procedures of the United States of America are not condemned? That norm establishes that any United States citizen, wherever he or she may be, who, without authorization from the United States, directly or indirectly establishes or enters into correspondence or any form of contact with a foreign Government or official, or an agent of a foreign Government, in relation to any disputes or controversies with the United States, shall be fined under that title or imprisoned not more than three years, or both.

However, the United States expect Cuba to allow the recruitment and activities of mercenaries who not only maintain correspondence with the Government of an imperialist power but also, after receiving considerable salaries, follow instructions and carry out missions aimed at implementing a hostile and aggressive foreign policy to the detriment of the Cuban people, with the intention of overthrowing Cuba's legitimately elected authorities and destroying the constitutional order freely chosen by its people in a referendum.

Cuba will continue withstanding the United States blockade that constitutes a basic violation of the Cuban people's human rights and that is also qualified as a genocide. The attempts of the United States to manipulate the issue of human rights to justify its policy of economic warfare and aggressions against Cuba are doomed to failure.

New York, 24 July 2008